

ORDINANCE NO. 2017-029

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS AMENDING ORDINANCE NO. 82-73, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS, SAME BEING ALSO KNOWN AS APPENDIX "D" OF THE CITY CODE AMENDING SECTION 60, SIGN STANDARDS; REPEALING CONFLICTING ORDINANCES; PROVIDING A PENALTY OF A FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00); PROVIDING A SEVERABILITY CLAUSE; DECLARING AN EMERGENCY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 60 of Ordinance No. 82-73 the Comprehensive Zoning Ordinance of the City of Grapevine regulates sign standards; and

WHEREAS, the City Council of the City of Grapevine wishes to amend Section 60 of the Zoning Ordinance; and

WHEREAS, the City Council of the City of Grapevine deems the passage of this ordinance as necessary to protect the public, health, safety, and welfare; and

WHEREAS, the City Council is authorized by law to adopt the provisions contained herein, and has complied with all the prerequisites necessary for the passage of this Ordinance, including but not limited to the Open Meetings Act.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS:

Section 1. That all matters stated hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

Section 2. That Ordinance No. 82-73, the Comprehensive Zoning Ordinance of the City of Grapevine, Texas, same also being known as Appendix "D" of the City Code, is hereby amended by revising Section 60 Subsection (B)(2)(o) to read as follows:

- "o. **CONVERTED DIGITAL BILLBOARD.** An existing off-premise advertising sign that is converted to a sign, display or device, internally illuminated, which changes the static message or copy by electronic means.
 - 1. An existing advertising sign may be altered to a Converted Digital Billboard only if all of the following conditions are met:

- i. the existing advertising sign fronts State Highway 114,
- ii. a right-of-way acquisition by a governmental agency necessitates the alteration of the existing off-premise advertising sign, and
- iii. City Council approves the conversion with a conditional use permit."

[The remainder of this Section shall remain unchanged.]

Section 3. That all ordinances or any parts thereof in conflict with the terms of this ordinance shall be and hereby are deemed repealed and of no force or effect; provided, however, that the ordinance or ordinances under which the cases currently filed and pending in the Municipal Court of the City of Grapevine, Texas shall be deemed repealed only when all such cases filed and pending under such ordinance or ordinances have been disposed of by a final conviction or a finding of not guilty, nolo contendere, or dismissal.

Section 4. That any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed two thousand dollars (\$2,000.00) and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

Section 5. That if any section, article, paragraph, sentence, clause, phrase or word in this ordinance, or application thereto any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 6. The fact that the present ordinances and regulations of the City of Grapevine, Texas are inadequate to properly safeguard the health, safety, morals, peace and general welfare of the public creates an emergency which requires that this ordinance become effective from and after the date of its passage, and it is accordingly so ordained.


PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 16th day of May, 2017.

APPROVED:




Mayor William D. Tate


ATTEST



Tara Brooks, City Secretary



APPROVED AS TO FORM:



John F. Boyle, City Attorney